

Amendments to the Drawings

The attached drawing sheet (one (1) total) includes an amended drawing for Fig. 4.

The sheet, which includes Fig. 4, replaces the original sheet that included Fig. 4.

REMARKS

Upon entry of this Amendment, claims 1 - 11 and 13-31 are pending in this application. Claim 12 has been canceled. Applicant has amended claims 1, 5, 6, 9, 13, 17, 18, 21, 26, 27, and 30.

Applicant has amended the Specification to include the subject matter included in amended claims 1, 9, 18, and 26. Specifically, the Specification has been amended to include that the bar 80 further defines a cavity 96 having an opening 97, the opening 97 faces toward the fender support 45 when the bar 80 couples to the fender support 45, and the retaining member is positioned within the cavity 96 (see Fig. 4). The Specification was also amended to include that the hook 140 is in a position higher than positions of the first attachment pin 145 and the second attachment pin 150 (see Fig. 5) and that the first and second attachment pins 145 and 150 substantially inhibit movement of the saddlebag 55 in an upward direction.

The *MPEP* sets forth that “information contained in any one of the specification, claims, or drawings of the application as filed may be added to any other part of the application without introducing new matter.” *MPEP 2163.06*. Applicant notes that the features added to the specification were included in the original drawings. As such, the additions to the specification are not new matter. As illustrated in originally filed Fig. 5, the hook 140 is in a position higher than positions of the first attachment pin 145 and the second attachment pin 150, and the attachment pins 145 and 150 inhibit movement of the saddlebag 55 in an upward direction. Furthermore, as illustrated in originally filed Fig. 4, the bar 80 defines a cavity having an opening and the retaining member, in the form of a S-shaped spring 115, is positioned within the cavity. Accordingly, Applicant respectfully requests that the Examiner enter the foregoing amendments to the Specification.

Applicant has amended Fig. 4 to include reference numbers for the cavity 96 and the opening 97 in view of the amendments to the Specification set forth above. Applicant requests that the Examiner replace original Fig. 4 with amended Fig. 4 enclosed herewith.

The Examiner has rejected claims 2-6, 9-17, 21-23, and 27 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Examiner notes that claim 2 recites “the fender support” with insufficient antecedent basis. Applicant has amended claim 1 to include “a fender support.” Claims 2-6 depend from amended claim 1. Accordingly, Applicant requests that the Examiner remove the rejection of claims 2-6 under 35 U.S.C. § 112.

The Examiner notes that there is insufficient antecedent basis for “the first mounting axis” and “the second mounting axis” in claim 9. Applicant has amended claim 9 to define a saddlebag mount including a first mounting axis and a second mounting axis. Claims 10, 11, and 13-17 depend from amended claim 9. In addition, the Examiner notes that there is insufficient antecedent basis in dependent claim 13 for “the first attachment axis” and “the second attachment axis.” Claim 13 has been amended to replace “the first attachment axis” and “the second attachment axis” with “the first mounting axis” and “the second mounting axis,” respectively, which have proper antecedent basis in intervening claim 9. Accordingly, Applicant requests that the Examiner remove the rejection of claims 9-11 and 13-17 under 35 U.S.C. § 112.

The Examiner notes that in claim 21 there is insufficient antecedent basis for “between the first mounting point and the second mounting point.” Applicant has amended claim 21 to include proper antecedent basis for the first and second mounting points. Claims 22-23 depend from amended claim 21. Accordingly, Applicant requests that the Examiner remove the rejection of claims 21-23 under 35 U.S.C. § 112.

The Examiner notes that there is insufficient antecedent basis in claim 27 for “the saddlebag frame.” Claim 27 has been amended to include proper antecedent basis for the saddlebag frame. Accordingly, Applicant requests that the Examiner remove the rejection of claim 27 under 35 U.S.C. § 112.

The Examiner has rejected independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by German Patent No. 198 27 973 (“Rixen”). The Examiner has also rejected

independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,499,638 (“Campbell”).

Amended claim 1 recites, among other things, a saddlebag mounting system including a saddlebag frame having a hook member adapted to couple a portion of the motorcycle to at least partially support the saddlebag in an upright position. The saddlebag frame further includes a first attachment member and a second attachment member spaced a distance from the first attachment member. The first and second attachment members are configured to couple the saddlebag frame to the portion of the motorcycle, and the hook member is in a position higher than positions of the first and second attachment members and located between the first and second attachment members.

Rixen appears to disclose a saddlebag 2 having a frame 25 that includes hooks 7 and 13. The hooks 7 and 13 receive members 19 and 16, respectively, to support the saddlebag 2 on a motorcycle (Figs. 1 and 5).

Rixen does not teach or suggest, among other things, the saddlebag frame having first and second attachment members configured to couple the saddlebag frame to the motorcycle and a hook member in a position higher than positions of the first and second attachments members and the hook member located between the first and second attachment members. Rather, Rixen discloses only the two hooks 7 and 13. Accordingly, Rixen does not teach or suggest all of the subject matter of amended claim 1, and therefore Applicant respectfully requests that the Examiner remove the rejection of claim 1 under 35 U.S.C. § 102(b) in view of Rixen.

Campbell discloses a bag 1 that is detachable from a mounting plate 2 (Fig. 1). The bag 1 includes female coupling members 6 that receive male coupling members 8 of the mounting plate 2. The mounting plate includes a J-shaped lip 7 that receives the seam 5 of the bag 1.

Campbell does not teach or suggest, among other things, a saddlebag frame that includes a hook member and first and second attachment members that are configured to couple the saddlebag frame to a motorcycle. Furthermore, Campbell fails to teach or suggest the hook member in a position higher than the position of the first and second attachment members. Rather, Campbell discloses the seam 5 of saddlebag beneath the female coupling members 6.

Accordingly, neither Campbell nor Rixen teaches or suggests all of the subject matter of amended claim 1, and therefore amended claim 1 is allowable for these and other reasons. Claims 2-8 depend from allowable claim 1 and are therefore allowable for these and other reasons.

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Rixen in view of U.S. Patent Application Publication No. 2003/0122002 ("Monson").

Amended claim 9 recites, among other things, a saddlebag mounting system that includes a saddlebag mount fixedly attached to a fender support of a motorcycle. The saddlebag mount includes a bar attached to and extending along the fender support. The bar defines a cavity having an opening configured to face toward the fender support and the bar includes a first attachment member disposed within the cavity and adapted to couple to a saddlebag.

Monson discloses a saddlebag 40 and a saddlebag frame 44 (Fig. 2A). A mounting structure 64 that includes bolts 56 that receive pins 68 mount the frame 44 and saddlebag 40 to the fender strut 14 (Fig. 5).

Rixen and Monson, alone or in combination, fail to teach or suggest, among other things, a saddlebag mount fixedly attached to the fender support, the saddlebag mount including a bar that defines a cavity having an opening configured to face toward the fender support and the bar including a first attachment member disposed within the cavity and adapted to couple to the saddlebag. Rather, Rixen discloses mounting the frame 5 to the motorcycle (Fig. 1) and using the hooks 7 and 13 to secure the saddlebag 2 to the frame 5

(Fig. 5), and Monson discloses attaching the frame 44 having the plate 72 to the fender strut 14 using bolts 56 that are located in holes 76 of the plate 72. Accordingly, neither Rixen nor Monson, alone or in combination, teach or suggest all of the subject matter of amended claim 9, and therefore Applicant respectfully requests that the Examiner remove the rejection of claim 9 under 35 U.S.C. § 103(a) in view of Rixen and Monson.

The Examiner has also rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Campbell in view of Monson.

Campbell and Monson, either alone or in combination, fail to teach or suggest, a saddlebag mount fixedly attached to a fender support and including a bar that defines a cavity having an opening configured to face toward the fender support, the bar including a first attachment member disposed within the cavity and adapted to couple to the saddlebag. Rather, Campbell discloses the mounting plate 2 having mounting holes 10 (Fig. 2). The mounting holes 10 are used to secure the plate 2 to a motorcycle and male coupling members 8 that extend outwardly from the plate 2 are received by female coupling members 6 of the saddlebag 3 to secure the saddlebag 3 to the plate 2. As set forth above, Monson discloses attaching the frame 44 to the fender strut 14 using bolts 56 that are located in holes 76 of the plate 72. Accordingly, neither Campbell nor Monson, alone or in combination, teach or suggest all of the subject matter of amended claim 9, and therefore Applicant respectfully requests that the Examiner remove the rejection of claim 9 under 35 U.S.C. § 103(a) in view of Campbell and Monson.

In light of the foregoing, amended claim 9 is allowable for these and other reasons. Claims 10, 11, and 13-17 depend from allowable claim 9 and are therefore allowable for these and other reasons.

The Examiner has rejected independent claim 18 under 35 U.S.C. § 102(b) as being anticipated by Rixen.

Amended claim 18 recites, among other things, a saddlebag mount that include a bar that extends along a portion of the length of a motorcycle. The bar defines a cavity having an opening configured to face toward the motorcycle and the bar includes a first attachment member disposed within the cavity and adapted to couple to a saddlebag.

For the reasons set forth above with regard to claim 9, Rixen fails to teach or suggest a saddlebag mount that include a bar that extends along a portion of the length of a motorcycle. The bar defines a cavity having an opening configured to face toward the motorcycle and the bar includes a first attachment member disposed within the cavity and adapted to couple to a saddlebag. Accordingly, Applicant requests that the Examiner remove the rejection of claim 9 under 35 U.S.C. § 102(b) in view of Rixen.

The Examiner has also rejected independent claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Campbell in view of Monson.

Applicant sets forth that amended claim 18 is allowable over Campbell in view of Monson for the reasons set forth above in response to the Examiner's rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Campbell in view of Monson. Similar to amended claim 9, amended claim 18 recites a saddlebag mount that include a bar that extends along a portion of the length of a motorcycle. The bar defines a cavity having an opening configured to face toward the motorcycle and the bar includes a first attachment member disposed within the cavity and adapted to couple to a saddlebag.

In light of the foregoing, amended claim 18 is allowable for these and other reasons. Claims 19-25 depend from allowable claim 18 and are therefore allowable for these and other reasons.

The Examiner has rejected independent claim 26 under 35 U.S.C. § 102(b) as being anticipated by Rixen.

Amended claim 26 recites, among other things, a saddlebag assembly that includes a saddlebag, a hook coupled to the saddlebag and adapted to engage the motorcycle, a first attachment member, and a second attachment member. The first and second attachment members substantially inhibit movement of the saddlebag in an upward direction when the saddlebag is coupled to the motorcycle and the hook is in a position higher than positions of the first and second attachment members and located between the first and second attachment members.

Rixen does not teach or suggest, among other things, a hook and first and second attachment members that substantially inhibit movement of the saddlebag in an upward direction when the saddlebag is coupled to the motorcycle. In addition, Rixen does not teach or suggest the hook in a position higher than positions of the first and second attachment members and located between the first and second attachment members. Rather, Rixen discloses a saddlebag 2 that includes hooks 13 and 7, and the hook 13 does not substantially inhibit movement of the saddlebag in an upward direction. Accordingly, Applicant requests that the Examiner remove the rejection of claim 26 under 35 U.S.C. § 102(b) in view of Rixen.

The Examiner has also rejected independent claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Campbell in view of Monson.

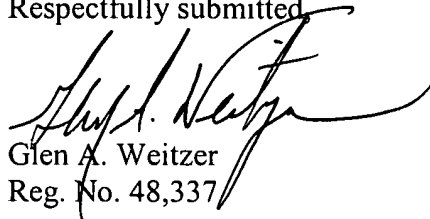
Neither Campbell nor Monson discloses a hook in a position higher than positions of the first and second attachment members and located between the first and second attachment members. Rather, Campbell discloses a saddlebag 3 with at seam 5 that is beneath female coupling members 6 (Fig. 1) and Monson discloses the use of a mounting structure 64 that includes bolts 56 and pins 68 to secure a saddlebag 40 and saddlebag frame 44 to a motorcycle (Fig. 2A).

In light of the foregoing amended claim 26 is allowable for these and other reasons. Claims 27-31 depend from allowable claim 26 and are therefore allowable for these and other reasons.

In view of the foregoing, entry of the present Amendment and allowance of the claims 1-11 and 12-31 is respectfully requested.

The Examiner is invited to contact the undersigned attorney should the Examiner determine that such action would facilitate the prosecution and allowance of the present application.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Glen A. Weitzer", is written over the typed name and registration number.

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